

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

BAYER HEALTHCARE LLC,)
)
Plaintiff,)
)
v.) C.A. No. 16-1122 (RGA)
)
BAXALTA INCORPORATED, BAXALTA)
US INC., and NEKTAR THERAPEUTICS,)
)
Defendants.)

**DECLARATION OF CAROLINE BERCIER
IN SUPPORT OF PLAINTIFF BAYER HEALTHCARE LLC'S
MOTION FOR ATTORNEYS' FEES PURSUANT TO 35 U.S.C. § 285**

I, Caroline Bercier, Esq., hereby state and declare as follows:

1. I am an attorney at the law firm of Sidley Austin LLP and serve as counsel for Defendant Bayer HealthCare LLC ("Bayer"). I am over 18 years of age and competent to testify as to the matters set forth herein. I am providing this declaration in support of Bayer Healthcare LLC's Opening Brief in Support of Motion for Attorneys' Fees Pursuant to 35 U.S.C. § 285.

2. Attached as Exhibit A is a true and correct copy of an email from counsel for Baxalta to counsel for Bayer, dated January 29, 2019.

3. Attached as Exhibit B is a true and correct copy of an email chain between counsel for Baxalta to counsel for Bayer, dated February 3-4, 2019.

I declare under penalty of perjury under the law of the United States that the foregoing is true and correct.

Date: February 22, 2019

/s/ Caroline Bercier

Caroline Bercier, Esq.

CERTIFICATE OF SERVICE

I hereby certify that on February 22, 2019, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on February 22, 2019, upon the following in the manner indicated:

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